SUMMARY

OF WORK DONE IN CONNECTION WITH

RESETTLEMENT OF REFUGEES ON LAND

IN THE PUNJAB

PART XIII

(1st July to 31st December 1954)

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PART XIII

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LIST OF CONTENTS

1954

PREFACE

This booklet is the thirteenth part of the series of the half-yearly progress reports on the resettlement work done in the districts and the Central Record Room and the summary of important orders and instructions issued by the Resettlement (Land) Department in connection with the resettlement of refugees on land in the Punjab. This part relates to the half year ending the 31st December 1954.

2. The summary is split up into three chapters. Chapters I contains the summary of important orders and instructions issued to local officers for implementing the Rehabilitation Resettlement Scheme. In Chapter II are summed up the instructions issued in connection with the temporary rehabilitation of various categories of refugees, who are not to be allotted land on permanent basis. Chapter III contains the latest statistics in regard to the claim forms of refugees of agreed areas of India finally settled on land under the Rehabilitation Resettlement Scheme. It also reveals the progress of work done by the Central Record Room up to the 31st December 1954.

3. The latest figures received from the local officers show that out of the total number of claims registered in the province 90·57 per cent have since been finally settled up to the 31st December 1954. Adding the number of claim forms settled at preliminary stage the total disposal comes to 92·14 per cent.

INAYAT ULLAH

Deputy Secretary to Government, Punjab
Resettlement and Colonies Department

Dated Lahore, the 30th March 1955.

SUMMARY OF THE WORK DONE AND IMPORTANT ORDESS ISSUED BY THE RESETTLEMENT (LAND) DEPARTMENT, PUNJAB, DURING THE PERIOD FROM 1ST JULY 1954 TO 31ST DECEMBER 1954

CHAPTER I

IMPORTANT ORDERS AND INSTRUCTIONS ISSUED TO IMPLEMENT THE REHABILITATION RESETTLEMENT SCHEME

It was represented that in order to save the refugees from coming to Lahore several times in connection with the inspection of jamabandis they might be given an option to submit their applications for this purpose to the Deputy Commissioner/Colonization Officer of their own district. A press note was, therefore, issued on 1st July 1954, permitting the claimants, if they so desire to submit their applications for the purpose to the Deputy Commissioner/Colonization Officer of their district/colony, who would forward it to the Central Record Room to fix a date for the inspection and to inform the applicants well in time. (Appendix I).

2. A question had arisen whether the ejectments in respect of the evacuee lands should be made under the provisions of the Pakistan Rehabilitation Ordinance, 1948, or under the Punjab Tenancy Act. After consideration the Rehabilitation Commissioner (Land) decided that in the event of the breach of the conditions of the tenancy under Clause 19 of the Rehabilitation Resettlement Scheme, the ejectment of tenants using or occupying the land, which has been allotted to another person under the Scheme, should be made under section 8 (2) (*b*) of the Pakistan Rehabilitation Ordinance, 1948. If, however, an allotttee landlord wanted to eject his tenant, where the tenant was not holding the land under a valid permit, the correct procedure would be to have a recourse to the normal Tenancy Laws of the province. (Appendix II).

3. In the Press Note, dated 5th November 1954, the Punjab Government declared that the refugee allottee landlords would now exercise the same rights as enjoyed by the local owners in this behalf. Briefly the position is that the relationship between landlords and tenants, whether evacuee or locals, would hence forward be governed by the ordinary provincial Tenancy Laws. (Appendix III (*i*)).

In accordance with the Press Note referred to above the concessions formerly extended to the tenants of refugee allottees were withdrawn and the decision contained in the Press Note superseded the instructions contained in clauses 19 and 20, Chapter III, Part I of Rehabilitation Resettlement Scheme and has modified all other orders issued by Rehabilitation Commissioner (Land) in this respect. All ejectment proceedings in respect of such tenants will now follow the normal course under the existing tenancy laws. (Appendix III (*ii*)).

4. The Rehabilitation Commissioner (Land) agreed that an allottee in a congested district may subsequently inherit land within the congested district which when added to his existing allotments may exceed the prescribed limit of 2,000 produce index units provided always that the inheritance was from a person who had put in his claim himself and not from a person who had died before doing so. (Appendix IV).

5. It was decided that the following categories of tenants-at-will should be treated as occupancy tenants under Sections 6 and 8 of the Punjab Tenancy Act and that the existing allotments may, if necessary, be revised accordingly (Appendix V). :—

1. Bhoundedars.
2. Dohledars.
3. Maqbuzedars.
4. Bartandars.
5. Dawami-Pattedars.
6. Taqarraridars.
7. Panahi Qadims.
8. Ansars Miadi.
9. Amledars-Sardarakhti.
10. Sunjidars.

6. It was brought to notice that in spite of clear instructions the refugee allottees in many districts were still not getting *batai* from their tenants. The local officers were, therefore, requested to direct their Revenue Officers that they should render all possible assitance to the refugee allottees in the matter of securing the *batai* and take prompt action to eject the tenants who did not pay the *batai* to their allottee landlords by the prescribed date, *i.e.*, 15th July in the case of Rabi harvests and the last day of February in regard to Kharif harvest. (Appendix VI).

7. In connection with the compensation to Muafidars it has been decided that muafidars should be treated as occupancy tenants under section 5 (1) (*a*) of the Punjab Tenancy Act and compensated in accordance with the instructions contained in the Press Note, dated 30th August 1952. (Circulated with memorandum No. 6049-R(L), dated 16th September 1952). (Appendix VII).

8. A question arose as to how Correction Slip No. 98-P.I., to the revised Produce Index Pamphlet (English edition) would be applied in cases where there were three or more classes of unirrigated soils (as distinct from *barani* land) in a particular area. The Rehabilitation Commissioner (Land) decided that if, within the same assessment circle, there were more than three classes of unirrigated soil, the value of *ghair mumkin, banjar qadim* and *banjar jadid* should be claculated in the following manner :—

(*a*) In cases where the number of classes of soil is even, e.g., 4, 6 or 8 :—

(1) the soil will be arranged in progressive order of their respective produce index value,

(2) the average value of the two middle numbers (2) and (3) will be calculated where there are four classes of soils (3) and (4) in cases where the number of the classes of soil is six and (4) and (5) where there are eight such classes of soil;

(3) the resultant figure will form the basis for the calculation of the respective value of *ghair-mumkin, banjar qadim* and *banjar jadid.*

(*b*) In assessment circles which have an odd number of unirrigated soils, e.g., 3 or 5 or 7; the procedure will be to take the value of the middle number after arranging the soils in progressive order as indicated above. (Appendix VIII).

9. The Rehabilitation Commissioner (Land), decided that the inhabitants of those villages which according to the Radcliffe Award belonged to India but are situated on the Pakistan side of the boundary rivers and are in *defacto* possession of Pakistan, would henceforth be treated as refugees and allotted land under the Rehabilitation Resettlement Scheme. Such refugees should, however, not be allowed to derive double benefit and their original lands should be taken away and utilised for suitable temporary purposes. (Appendix IX).

10. In order to wind up the work of the inspection of *jamabandis* a Press Note was issued on 14th, July 1954 advising the refugee claimants to submit their applications for the purpose within two months of the issue of the Press Note (Appendix X).

11. It was brought to the notice of the Rehabilitation Commissioner (Land) that coercive measures were being used in the recovery of rent of the evacuee agricultural land and arrests were being made on this account. The attention of the local officers was, therefore, once more invited to the instructions issued in Punjab Government memorandum No. 1212-R(L), dated 17th February 1953, which prohibit all such acts. (Appendix XI).

12. A question had arisen whether court fee stamps should be affixed on the applications for the partition of joint *khatas* and whether the *sanad taqsim* should be prepared on non-judicial paper. It was decided that the orders of the Rehabilitation Commissioner (Land) to effect partition were sufficient authority. Hence there was no need to record them on non-judicial stamped paper. (Appendix XII).

13. A copy of Punjab Land Revenue (Amendment) Ordinance, 1954, amending Section 34 of the Punjab Land Revenue Act, 1887, in respect of allottees of evacuee lands (circulated with Punjab Government notification No. 785-Leg., dated 6th July 1954) was forwarded to all the Deputy Commissioners and Commissioners in the Punjab. [Appendix XIII (*i*) and (*ii*)].

14. Instances came to notice where the instructions issued with Punjab Government memorandum No. 8383-53/4931-R(L), dated 15th May 1954, were being interpreted to imply the supersession of concessions granted to the refugee tenants-at-will of—(1) Alwar and Bharatpur States, (2) Khatedars of Bikaner State and (3) *Mazarin Shartia* of Faridkot State in Clause 37 of Chapter I, Part II of the Rehabilitation Resettlement Scheme. It was, therefore, explained that the instructions circulated with memorandum under reference did not over-ride any concession already granted to these tenants-at-will and they would continue to enjoy them. (Appendix XIV).

15. In amplification of the instructions contained in the preceding paragraph in respect of the concessions granted to the tenant-at-will of the State mentioned therein, it was further decided that where a refugee tenant-at-will of these States had been wrongly deprived of his entitlement under a mis-apprehension it should be restored to him in accordance with law. (Appendix XV).

16. In view of the fact that the *Shamlat* land has now been sorted out and registers of right-holders have been prepared in the Central Record Room, the Rehabilitation Commissioner (Land) ordered that *tatimma fardat-i-haqiat* of Shamlat area should be issued to all the refugee claimants who were entitled to it irrespective of the fact whether or not they had put in any objection and the same despatched to the place where the original *fardat haqiat* were sent. The Rehabilitation Commissioner (Land) also prescribed a procedure for dealing with such tatimma *fardat haqiat* of shamlat in the districts. (Appendix XVI).

17. In view of the emergency arising out of the heavy rains and floods in September 1954, and to assist the victims in rebuilding or repairing their damaged houses the instructions contained in clause 42(*b*), Chapter I, Part II of the Rehabilitation Resettlement Scheme were relaxed and the local officers were directed to grant permission to the affected refugees freely to cut trees grown on their own land, or to allot trees from other lands, if no trees were growing on the land occupied by them. These conditions were, however, relaxed only to the extent required and for the duration of emergency declared by Government and for the areas specified for the purpose. Appendix XVII).

18. It was decided that the orders issued in Punjab Government memorandum No. 12382-54/8507-R(L), dated 5th October 1954, regarding the cutting of trees from the evacuee lands would also apply *mutatis mutandis* to the cutting of *Sarkandah* from the unallotted evacuee lands. (Appendix XVIII).

19. The Deputy Commissioners/Colonization Officers of the congested districts/colonies were asked to make an all out effort in moving non-allottees from the congested districts to non-congested districts where land available for allotment to these refugees and to submit a progress report after two months. (Appendix XIX).

20. In order to clarify the position the Rehabilitation Commissioner (Land) ordered that a colony should be treated as one unit and surplus area found available anywhere in the Colony, even though situated in other districts, should be used for meeting the claims of the refugees of the same colony. It was also decided that the Colonization Officers were competent to transfer the claims of allottees from one congested part of the colony to another congested area of the same colony situated in another district. (Appendix XX).

21. In connection with the inspection of jamabandis the local officers were informed that a court fee stamp of Rs. 5 should be affixed on all such applications. The applicant who produces reverified *fardat haqiat* is, however, exempted from affixing any court fee stamp. In order to eliminate the undesirable element and to enable only the *bona fide* applicants to inspect the

jamabandis, the officers were instructed to see the original receipt of the claim forms before the application was accepted and the order of their satisfaction to this effect recorded in writing on the application. (Appendix XXI).

22. In view of the representation that bogus temporary allottees should not be allowed to remain in possession of their allotments for indefinite period, it was decided that such allottees should be asked either to have their claim forms verified or to produce a certificate from the Central Record Room to the effect that their claim forms were under verification and that land existed in their name. The time limit for this purpose was fixed at six months. (Appendix XXII).

23. To obviate hardship to the claimants of the Ambala and Hoshiarpur districts in respect of *Ghair Mumkin jungal* soil the Rehabilitation Commissioner (Land) decided that pending the receipt of the actual details of the area in question from the East Punjab authorities the following method of granting concession should be adopted as a purely temporary measure:

(a) In cases where the entire area of a village has been notified under the Land Preservation (Chos) Act, 50 per cent of the area claimed as *Ghair Mumkin Jungle* shall be permitted to a claimant and its value in produce indices calculated in accordance with Correction Slip No. 107-P.I. to the Produce Index pamphlet.

(b) Where, however, a village has only been partly notified under the Land Preservation (Chos) Act, claimants of *Ghair Mumkin Jungle* will only be permitted one third or 33·1/3 per cent of the area claimed and its produce index value calculated as above.

It was also decided that the onus of proving that a village was wholly or partly notified under the Chos Act would rest on the claimants. (Appendix XXIII).

24. The Rehabilitation Commissioner (Land) decided that simultaneously with the grant of declarations by Additional Rehabilitation Commissioner (Land) on the basis of the decrees of Civil Courts or registered deeds, which could not be given effect to in the revenue records due to disturbed conditions before partition, orders should also be issued by the Additional Rehabilitation Commissioner (Land) for the reservation of the area involved in favour of the mortgagees or the alienees, as the case may be, and the Deputy Rehabilitation Commissioner (Land) should give effect to such orders immediately. (Appendix XXIV).

25. In view of the damage caused to the Kharif Crop by the flood in September 1954, the Rehabilitation Commissioner (Land) decided that the recovery of the instalment of the Rehabilitation Fee be postponed in all cases where the recovery of land revenue had been remitted or postponed. (Appendix XXV).

26. It was decided that the villages at Serial Nos. 110 to 125 and 12- of the list of villages of Delhi Province (forwarded to local officers with Officer on Special Duty (Central Record Room) Circular Memorandum No. 16718 A/C.R.R., dated 22nd September 1954), should be treated as situated in the Khadar Assessment Circle of Delhi District, North, instead of Shahdara Assessment Circle. (Appendix XXVI).

27. In consultation with the Custodian of Evacuee Property, Punjab it was decided that the cases of the writing off of the irrecoverable arrears of cash rent of evacuee agricultural lands should be dealt with under the normal Revenue Law applicable to non-evacuee lands, i.e., as cases of irrecoverable arrears of land revenue. While deciding such cases the Financial Commissioner and the Commissioners of divisions will exercise the same powers as they do under the land Revenue Act. Other necessary instructions for accounting for the amount of rent written off by the Deputy Rehabilitation Commissioner in the demand and collection register were also issued. (Appendix XXVII).

28. In view of the fact that the question of the determination of the rights of the *Tabe-Marzi* tenants of Kapurthala State is likely to take some time before a final decision is arrived at the Rehabilitation Commissioner (Land) decided that in the meantime *status quo* should be maintained and the tenants concerned should not be disturbed from the lands allotted to them either temporarily or under the Rehabilitation Resettlement Scheme. (Appendix XXVIII).

CHAPTER II

INSTRUCTIONS ISSUED IN CONNECTION WITH TEMPORARY REHABILITATION AND OTHER ALLIED MATTERS.

1. The Rehabilitation Commissioner (Land) decided that the persons who had ownership, occupancy and other rights in land falling in Pakistan territory according to the Radcliffe Award, but situated on the other side of river and in *de facto* possession of India and who had to abandon such right under the existing conditions, would, as provided in clause 27 of Chapter I, Part II of the Rehabilitation Resettlement Scheme, continue to be temporarily compensated on the same scale and in the same manner as the refugee right holders of the prescribed territory till it became possible to retrieve the physical possession of their own lands from the *de facto* control of India. It was, however, emphasized that it would be necessary to hold a local inquiry in each individual case in order to ascertain the extent of right. It was also decided that 24th May 1950, should be taken as the prescribed date from which the loss of the land across the river should be ascertained. (Appendix XXIX).

2. In partial modification of Rehabilitation Commissioner's (General) memorandum No. 3672-Reh-2-RF/54, dated 26th April 1954, it was decided that urban agricultural land not allotted so far might be allotted to deserving refugees on a purely temporary basis in order to ensure efficient management of evacuee property. The local officers were, however, directed not to make further allotments of vacant residential plots and other than agricultural plots. Even the allotments of agricultural plots in the urban areas have been held up in compliance with certain directions from Central Government. (Appendix XXX).

3. It was noticed that in some cases possession of the evacuee agricultural land was given by the local officers to the industrialists in advance of its actual acquisition. The Rehabilitation Commissioner (Land), therefore, ordered that in all such cases rent should continue to be charged at 4 per cent of the estimated price of the land until the land was actually acquired. (Appendix XXXI).

4. In case the evacuee agricultural land was required by a department or institution for purposes other than agriculture, the local officers were directed to advise the department or the institution concerned to acquire the evacuee land in a regular manner. (Appendix XXXII).

5. Some misapprehension appeared to prevail in certain district that temporary allotment of evacuee land was unrestricted even at the present advanced stage of resettlement operations. This is incorrect. It was, therefore, clarified that temporary allotment at this stage could be made in the following cases only :—

(*i*) displaced refugees and local tenants ;

(*ii*) widows and orphans whose husbands or parents were the victims of disturbances at the time of partition;

(*iii*) refugees from Rampur, Bhopal, etc., who are of Punjab extraction ;

(*iv*) refugees from Jammu and Kashmir State ; and

(*v*) heirs and dependents of non-muslim evacuee landlords who preferred to stay in Pakistan.

The local officers were further directed not to make any further temporary allotment to refugees from the non-prescribed territories pending final decision of their case by the Government of Pakistan. (Appendix XXXIII).

6. It was decided that all possible pressure should be applied to the allottees of Crown land to accept allotment of evacuee land in compensation of their verified claims as early as possible and to surrender possession of the Crown land held by them in temporary allotment. The refugee allottees of Crown land who were refugee tenants or small land-owners and fulfil the conditions laid down in Punjab Government memorandum No. 650-Th., dated 17th July 1952, could, however, be allowed to have their claim forms djusted against Crown land. (Appendix XXXIV).

7. Paragraph 3 of Punjab Government circular memorandum No. 5042-Reh-II-52/2690, dated 27th January 1953, provides that for the purposes of acquisition of evacuee land a "No Objection" certificate should be issued by Deputy Rehabilitation Commissioner (Urban,) if the property is situated in Urbun area, and by Deputy Rehabilitation Commissioner (Land) if it is in the rural area. In consultation with Rehabilitation Commissioner (General) it was further decided that the requisite "No Objection" certificate for agricultural land in urban area should in future be issued by Deputy Rehabilitation (Urban) in consultation with the Deputy Rehabilitation Commissioner (Land) of the district concerned. It was also stressed that a "No Objection" certificate should not be issued as a matter of routine and that it should always be ensured whether it would be possible to provide alternate accommodation to the existing occupants of land before dispossessing them. (Appendix XXXV).

8. The Rehabilitation Commissioner (Land) decided that the refugee widow and orphans, other than those whose husbands or parents were the victims of the disturbances at the time of Partition, may also be considered eligible for temporary allotment of evacuee agricultural land like the latter, provided they were in indigent circumstances and had not succeeded to any property. The latter category is, however, to be given preference over the former. (Appendix XXXVI).

9. The Rehabilitation Commissioner (Land) ordered that eixisting clause III of the Border Scheme will be amended as under with immediate effect :—

III—PERSONS ELIGIBLE FOR ALLOTMENT

"Allotment under this scheme will be made without discrimination between refugees and non-refugees subject to availability of land, in each estate to those persons :—

(*i*) who hold temporary allotment of evacuee land under a valid permit issued by a Rehabilitation Authority;

(*ii*) who in the case of *ex*-Military men and servicemen have been recommended by General Headquarters or Formation Headquarters detailed for resettlement duties.

(*iii*) who cultivate the land themselves, and

(*iv*) who reside in the village except in the case of such of the military servicemen who can produce the necessary adult manpower for residence in the estate as required by clause V (A) of this scheme.

Subject to eligibility under all the items above preference will be given to *ex*-Militarymen or servicemen who have abandoned land in the prescribed territory of India. Persons who already own land in Border estates which is less than the unit of allotment prescribed in Clause (IV) of the Scheme may be considered for allotment of evacuee land under this Scheme up to the prescribed minimum". (Appendix XXXVII).

CHAPTER III

PROGRESS OF RESETTLEMENT OPERATIONS IN THE FIELD AND AT HEADQUARTERS.

So far as the progress of resettlement operations in the field is concerned a total No. of 10,85,762 claim forms of refugees from the agreed territories of India for evacuee agricultural land in the rural areas has been finally settled covering an area of 34,87,122 acres, out of 11,91,316 claim forms registered in the province. The percentage of the disposal of claim forms

finally settled up to 31st December 1954, comes to 90·57. Besides this a total of 18,995 claim forms has been settled at preliminary stage, involving an area of 167,409 acres. Adding these figures to those of the claim forms finally settled the total disposal comes to 92·14 per cent.

Uptil now 11,63,884 claim forms (including duplicate claim forms) registered before 1st May 1951, have been verified by the Central Record Room. Similarly out of 1,61,565 new claim forms, 1,58,868 have also been verified. In addition the Central Record Room received 72,385 objections during the year, out of which 59,238 have so far been verified and returned to the districts concerned.

Out of the toal of 20,368 jamabandis requisitioned from India 19,055 have so far been received. Registers of right-holders have since been prepared in respect of all these jamabandis. 1,313 jamabandis are, however, still awaited from India and efforts are being made to obtain them as early as possible. Out of these jamabandis 991 are reported to be in Hindi and will be required to be translated into Urdu.

During the year ending 31st December 1954, the staff appointed for comparison work at the border copied 2,168 *tatimma* jamabandis from the special jamabandis presented by the Indian authorities.

Registers of Right-Holders of '*Ala*' *maliks* were not prepared in the first instance as no compensation was to be given to them. It has now been decided to compensate '*Ala*' *maliks* at a prescribed scale. Registers of Right-Holders in respect of 420 jamabandis, wherein such rights exist, are now being prepared.

APPENDIX I

PRESS NOTE

In continuation of the Press Note, dated the 22nd September, 1953, it is further notified for the information and guidance of all concerned that in order to make it more convenient for the refugees, their applications for the inspection of jamabandis in the Central Record Room will also be permitted to be submitted to the Deputy Commissioner/Additional Deputy Commissioner/Colonization Officer of their own district/colony, if they so desire. The receiving authority shall give a receipt for the application presented to him and arrange to forward it to the Officer on Special Duty (Central Record Room), Lahore, who is turn shall fix suitable dates for the inspection of jamabandis and intimate the same to the applicants well in time through the district authorities concerned. This will save them the botheration of personally presenting their applications in the Central Record Room of Financial Commissioners' Office at Lahore.

H. A. MAJID

Rehabilitation Commissioner (Land) and
Secretary to Government, Punjab
Resettlement and Colonies Department,

Dated July 1954

No. 7782-54/6263-*R*(*L*)

A COPY is forwarded to the Director, Public Relations, Punjab, Lahore, for favour of wide publicity, in continuation of the Punjab Government endorsement No. 7433-R(L)., dated the 22nd September, 1953.

NABI AHMAD

Additional Rehabilitation Commissioner (Land)
and Deputy Secretary to Government, Punjab
Resettlement and Colonies Department.

No. 7782-54/6264-*R*(*L*)

COPIES are forwarded to—

(1) all Deputy Commissioners in the Punjab;

(2) Thal Development Officer, Mianwali.

(3) Colonization Officer, Nili Bar Colony, Pakpattan; and

(4) Assistant Colonization Officer, Haveli Project, Multan;

for information and necessary action in continuation of the Punjab Government endorsement 7434-R(L), dated the 22nd September, 1953.

NABI AHMAD

Additional Rehabilitation Commissioner (*Land*)
and Deputy Secretary to Government, Punjab
Resettlement and Colonies Department.

No. 7782-54/6265-*R*(*L*)

A COPY is forwarded to all Commissioners of Divisions in the Punjab, for information in continuation, of Punjab Government endorsement No. 7435-R(L), dated the 22nd September, 1953.

NABI AHMAD

Additional Rehabilitation Commissioner (*Land*)
and Deputy Secretary to Government, Punjab
Resettlement and Colonies Depzatment

No. 7782-54/6266-*R*(*L*)

A COPY is forwarded to the Officer on Special Duty (Central Record, Room), Lahore, for information, in continuation of Punjab Government endorsement No. 7436-R(L), dated the 22nd September, 1953.

NABI AHMAD

Additional Rehabilitation Commissioner (*Land*)
and Deputy Secretary to Government, Punjab
Resettlement and Colonies Department.

APPENDIX II

Memorandum No. 7160-54/6312-*R*(*L*) *dated Lahore, the 3rd July* 1954

From—S. A. Latif, Esquire, P. C. S., Deputy Rehabilitation Commisioner (Land) and Under-Secretary to Government, Punjab, Resettlement and Colonies Department.

To—All Deputy Commissioners and Additional Deputy Commissioners in the Punjab, (2) The Thal Development Officer, Mianwali, (3) The Colonization Officer, Nili Bar Colony, Pakpattan, and (4) The Assistant Colonization Officer, Haveli Project, Multan.

Subject—Ejectment of tenants of the evacuee agricultural land.

H. A. Majid, Esquire, C. S. P. Rehabilitation Commissioner (*Land*), *Punjab*

The provision to eject the tenants of the evacuee lands is contained in the Pakistan Rehabilitation Ordinance, 1948, as also in the Punjab Protection and Restoration of Tenancy Rights Act, 1950, as amended by the Punjab Act No. VIII of 1922. A question has arisen whether the ejectments in respect of the evacuee lands should be made, where necessary, under the provisions of the former or of the latter. The Rehabilitation Commissioner (Land), Punjab, has decided that in the event of a breach of the conditions of the tenancy as laid down in clause 19 of the Rehabilitation Settlement Scheme, ejectment of tenants, using or occupying (under a valid permit) evacuee land which has been allotted to another person under the said Scheme, should be made under section 8 (2) (*b*) of the Pakistan Rehabilitation Ordinance, 1948. If, however, an allottee landlord wants to

eject his tenant, where the tenant is not holding the land under a permit, the correct procedure would be to have a recourse to the normal Tenancy Law of the Province

(*For the Additional Deputy Commissioner, Multan, only*)—This also disposes of your memorandum No. 3364-S, dated the 12th May, 1954, on this subject.

No. 7160-54/6313-R. (L.)

COPIES are farwarded to all Commissioners of Divisions in the Punjab, for information.

APPENDIX III (*i*)

PRESS NOTE

Refugee allottee landlords were so far under certain restrictions in regard to the ejectment of their tenants. Their rights have now been brought on par with these of local landlords, so that refugee allottee landlords and local owners get exactly the same rights in this behalf. Briefly the position is that the relationship between landlords and tenants whether they are evacuees or locals is now governed by the ordinary Provincial laws.

NASIR AHMAD
Secretary to Government, Punjab
Resettlement and Colonies Department
and Rehabilitation Commissioner
(Land,) Punjab

Lahore, dated the 5th November, 1954.

No. 13142-54/9330-*R*(*L.*)

A COPY is forwarded to the Director, Public Relations, Punjab, for favour of wide publicity at a very early date.

S. A. LATIF
Under-Secretary to Government, Punjab
Resettlement and Colonies Department.

*No.*13142-54/9331-*R*(*L*)

A COPY is forwarded for information and further action to:—

(1) All Commissioners of Divisions in the Punjab, (2) All Deputy Commissioners in the Punjab, (3) All Additional Deputy Commissioners in the Punjab, (4) The Colonization Officers, Nili Bar Colony, Pakattan, (5) The Thal Development Officer, Mianwali, (6) The Assistant Colonization Officer, Haveli Project, Multan.

S. A.LATIF
Under-Secretary to Government, Punjab
Resettlement and Colonies Department

APPENDIX III (*ii*)

Memorandum No. 13142-54/9328-*R*(*L*), *dated Lahore, the 5th November* 1954

From—S. A. Latif, Esquire, P. C. S., Under-Secretary to Government Punjab, Resettlement and Colonies Department.

To—(1) All Deputy Commissioners in the Punjab, (2) All Additional Deputy Commissioners in the Punjab, (3) The Thal Development Officer, Mianwali, (4) The Colonization Officer, Nili Bar Colony, Pakpattan, (5) The Assistant Colonization Officer, Haveli Project, Multan.

Subject—Delivery of physical possession of allotments made under the Rehabilitation Settlement Scheme.

Reference—Continuation of Punjab Government endoresement No. 13142-54/9331-R(L), dated the 5th November, 1954.

Nasir Ahmed, Esquire, C. S. P., Rehabilitation Commissioner (*Land*), *Punjab*

In accordance with the Press Note circulated with the endorsement under reference, the Punjab Government have withdrawn the concession

formerly extended to tenants of refugee allottees. These orders will supersede the instructions contained in Clauses 19 and 20, Chapter III, Part I of the Rehabilitation Settlement Scheme and will also modify the orders of the Rehabilitation Commissioner (Land) contained in Punjab Government notifications No. 4650-R (L), dated the 24th June, 1953 and No. 4652-R (L), dated the 24th June, 1953. Necessary corrections in this respect will be made separetely.

2. In pursuance of the decision referred to above, the provision of alternative accommodation will not be necessary prior to the eviction of the tenants concerned and all ejectment proceedings in respect of such tenants will follow the normal course under the existing tenancy laws. All provious instructions on the subject should be considered to have been amended to this extent.

3. Further instructions on the subject will, if found necessary, be issued in due course.

No. 13142-54/9329-*R*(*L*)

A copy is forwarded to all Commissioners of Divisions in the Punjab, for information, in continuation of Punjab Government endorsement No. 13142-54/9331-R(L), dated the 5th November, 1954.

APPENDIX IV

Memorandum No. 8165-54/6411,-(*L-R.*) *dated Lahore, the* 7*th July* 1954

From—S. A. Latif, Esquire, P. C. S., Deputy Rehabilitation Commissioner (Land) and Under-Secretary to the Financial Commissioner, Resettlement and Colonies, Punjab.

To—The Commissioner, Multan Division, Multan.

Subject—Rehabilitation Settlement of refugees on land.

Reference—Your endorsement No. 721-156/7351, dated the 22nd May 1954.

H. A. Majid, Esquire, C. S. P., Rehabilitation Commissioner (*Land*), *Punjab.*

The Rehabilitation Commissioner (Land) agrees with your suggestion that an allottee in a congested district may subsequently inherit land within the congested district which when added to his existing allotments may exceed the prescribed limit of 2,000 produce index units provided always that the inheritance is from a person who had put in his claim himself and not from a person who had died before doing so.

No. 8165-54/6412-*R*(*L*)

Copy is forwarded, for information, to:—

(1) Commissioners, Lahore and Rawalpindi Divisions, (2) All Deputy Commissioners in the Punjab, (3) Thal Development Officer, Mianwali, (4) Colonization Officer, Nili Bar Colony, Pakpattan, (5) Assistant Colonization Officer, Haveli Project, Multan (with reference to his memorandum No. 799/SC/P, dated 13th May 1954, addressed to the Commissioner Multan Division), (6) All Additional Deputy Commis sioners in the Punjab in continuation of Punjab, Government circular memorandum No. 2357-54/3732-R(L), dated the 9th April 1954.)

APPENDIX V

Memorandum No. 276-54/6413-*R(L), dated Lahore, the 7th July* 1954

From—Ch. Nabi Ahmad, P. C.S., ,Additional Rehabilitation Commissioner (Land) and Deputy Secretary to Government, Punjab, Resettlement and Colonies Department.

To—(1) All Deputy Commissioners in the Punjab, (2) Thal Development Officer, Mianwali, (3) Colonization Officer, Nili Bar Colony, Pakpattan, (4) Assistant Colonization Officer, Haveli Project, Multan.

Subject—Rehabilitation Settlement Scheme-- Allotment of land to various categories of tenants-at-will thereunder.

H. A. Majid, Esqure, C. S. P., Rehabilitation Commissioner (Land), Punjab.

The Rehabilitation Commissioner (Land) has decided that the following categories of tenants-at-will should be treated as occupancy tenants under sections 6 and 8 of the Punjab Tenancy Act:—

(1) Bhoundedar.

(2) Dohledars.

(3) Maqbuzedars.

(4) Bartandars.

(5) Dawami-Pattedars.

(6) Taqarraridars.

(7) Panahi Qadims.

(8) Ansars Miadi.

(9) Amladars-Sardarakhti.

(10) Sunjidars.

2. The above decisions will result in the withdrawal of a part of the allotments already made to the owners of these tenancies, which will now be treated under sections 6 and 8 of the Punjab Tenancy Act. The existing allotments should , therefore, be revised in accordance with the instruction contained in the Press Note, dated the 30th August 1952, a copy of which was forwarded with the Punjab Government circular memorandum No. 6049-R(L), dated the 16th September 1952.

No. 276-54/6414-*R(L)*

COPIES are forwarded to all—(1) Commissioners of Divisions (2), Additional Deputy Commissioners, in the Punjab for (1) and information (2) information and guidance.

APPENDIX VI

Memorandum No. 8834-54/6447-*R(L), dated Lahore, the 7th July* 1954

From—S. A. Latif, Esquire, P. C.S. , Deputy Rehabilitation Commissioner (Land) and Under-Secretary to Government, Punjab, Resettlement and Colonies Department.

To—(1) All the Deputy Commissioners and Additional Deputy Commissioners in the Punjab, (2) The Thal Development Officer, Mianwali, (3) The Colonization Officer, Nili Bar Colony, Pakpattan and (4) The Assistant Colonization Officer, Haveli Project, Multan.

Subject—Recovery of batai by the refugee allottees under the Rehabilitation Settlement Scheme from the sitting temporary allottee tenants.

Reference—Continuation of the Punjab Government memorandum No. 1404-54/1882-R(L), dated the 16th February 1954.

H. A. Majid, Esquire, C. S. P., RehabilitationCommissioner (Land), Punjab.

It has been brought to the notice of the Rehabilitation Commissioner (Land), Punjab, that in many districts the refugee allottees under the

Rehabilitation Settlement Scheme are still not getting the batai from their tenants, although they have been repeatedly complaining about it to their respective local officers. You are, therefore, again requested to please bring home to all of your subordinate Revenue Officers that they should render all possible assistance to the refugee allottees in the matter of securing the batai. You are requested also to please take prompt action to eject all tenants who do not pay the batai to their allottee landlords by the prescribed dates, i.e., by the 15th July in the case of Rabi harvests and by the last day of February in the case of Kharif harvests.

No. 8834-54/6448-*R*(*L*)

COPIES are forwarded to all the Commissioners of Divisions in the Punjab, for information.

APPENDIX VII

Memorandum No. 10684-53/6473-*R*(*L*), *dated Lahore, the* 8*th July* 1954.

From—Ch. Nabi Ahmad, P. C. S., Additional Rehabilitation Commissioner (Land) and Resettlement and Colonies Secretary to the Financial Commissioners, Punjab.

To—(1) All Deputy Commissioners in the Punjab, (2) The Thal Development Officer, Mianwali, (3) The Colonization Officer, Nili Bar Colony, Pakpattan, (4) The Assistant Colonization Officer, Haveli Project, Multan.

Subject—Rehabilitation Settlement Scheme—Compensation to Muafidars thereunder.

H. A. Majid, Esquire, C. S. P., Rehabilitation Commissioner (*Land*), *Punjab.*

On a reconsideration of the matter, the Rehabilitation Commissioner (Land) has determined that the status of Muafidars (معافی داران) is superior to that of an occupancy tenant under sections 6 and 8 of the Punjab Tenancy Act. The Rehabilitation Commissioner (Land) has accordingly decided that Muafidars should be treated as occupancy tenants under section 5 (1) (*a*) of the Punjab Tenancy Act and compensated in accordance with the instructions contained in the Press Note, dated 30th August 1952, a copy of which was forwarded with the Punjab Government circular memorandum No. 6049-R (L), dated the 16th September 1952.

No. 10684-53/6474-*R*(*L*)

COPIES are forwarded, for information, to—

(1) All Commissioners of Divisions in the Punjb, (2) Additional Deputy Commissioners in the Punjab, (3) Officer on Special Duty (Central Record Room), Financial Commissioners' Office, Lahore.

APPENDIX VIII

Memoramdum No. 6505-54/6535-*R*(*L*), *dated Lahore, the* 10*th July* 1954

From—S. A. Latif, Esquire, P. C. S., Under-Secretary to Government, Punjab, Resettlement and Colonies Department.

To—(1) All Deputy Commissioners in the Punjab, (2) Thal Development Officer, Mianwali, (3) Colonization Officer, Nil Bar Colony, Pakpattan, (4) Assistant Colonization Officer Haveli Project, Multan.

Subject—Produce Indices—Compensation of the value of Ghair Mumkin, Banjar Qadim and Banjar Jadid.

H. A. Majid, Esquire, C. S. P., Rehabilitation Commissioner (*Land*), *Punjab.*

Correction slip No. 98-PI., dated 9th September 1952, to the revised Produce Index Pamphlet (English edition prescribes that when there are three classes of *Barani* land in a particular area, the value of the *Ghair*

Mumkin, Banjar Qadim and *Banjar Jadid* will be based on the index number accorded to the second class, viz., *Barani* II in such cases. A question has now been raised how this correction slip should be applied in cases where there are three or more classes of unirrigated soils (as distinct from *Barani* land prescribed in the correction slip) in a particular area.

2. The Rehabilitation Commissioner (Land) is pleased to order that if, within the same assessment circle, there are more than three classes of unirrigated soil, the following procedure will be adopted to calculate the value of *Ghair Mumkin, Banjar Qadim* and *Banjar Jadid*:—

(*a*) In all cases where the number of classes of such soil is even, such as four, six or eight,

Firstly—the soil will be arranged in progressive order of their respective produce index value.

Secondly—the average value of the two middle numbers will be calculated, i.e., numbers (2) and (3) in cases where there are four classes of soils, numbers (3) and (4) in cases where there are six classes of soils and numbers (4) and (5) in cases where there are eight such classes of soils.

Thirdly—The resultant figure will form the basis for the calculation of the respective values of *Ghair Mumkin, Banjar Qadim* and *Banjar Jadid*.

Example—

In the Maujki Assessment Circle of Tahsil Phagwara, Kapurthala State, there are the following unirrigated classes of soils:—

(1) Sailab	..	66
(2) Barani I	..	66
(3) Barani II	..	51
(4) Rohi	..	60

These will be arranged in progressive order as under:—

(1) Barani II	..	51
(2) Rohi	..	60
(3) Barani I	..	66
(4) Sailab	..	66

The average will be calculated of Rohi and Barani I, i.e., $\frac{60+66.}{2}=63$

(*b*) In Assessment Circles, which have an odd number of unirrigated soils such as three or five or seven the procedure will be to take the value of the middle number after arranging the soils in progressive order as indicated above.

3. This procedure should be carefully explained to all concerned for careful compliance.

For Deputy Commissioner, Gujranwala only—This disposes of your momorandum No. 136/F. C., dated 29th April 1954.

APPENDIX IX

Memorandum No. 7561-54/6634-*R(L) dated Lahore, the* 14*th July* 1954

From—Ch. Nabi Ahmad, P. C. S., Additional Rehabilitation Commissioner (Land) and Deputy Secretary to Government, Punjab, Resettlement and Colonies Department.

To—The Deputy Commissioners, Lahore, Sheikhupura, Sialkot and Montgomery.

Subject—Rehabilitation Settlement of Refugees on land—Treatment of inhabitants of the villages of the Indian Dominion of the Pakistan side of the Boundary river.

Reference—In supersession of the Punjab Government memorandum No. 8001-R (L), dated 5th September, 1950.

H. A. Majid, Esquire, C. S. P., Rehabilitation Commissioner(Land), Punjab.

The Rehabilitation Commissioner (Land) has decided that the inhabitants of those villages which, accorrding to the Redcliff Award, belong to

India but are situated on the Pakistan side of the Boundary rivers and are in the *de facto* possession of Pakistan will henceforth be treated as refugees and allotted land under the provisions of the Rehabilitation Settlement Scheme. It will be necessary, however, to ensure that claimants of this category are not permitted to derive double benefit by the continued possession of their own lands, which are in the *de facto* control of Pakistan after they have secured the allotment of evacuee land in lieu thereof under the Rehabilitation Settlement Scheme. If allotments of land other than their own are made to these people under the Rehabilitation Settlement Scheme, the land originally held by them and in the *de facto* control of Pakistan shall have to be utilised by the Deputy Commissioners for suitable temporary purposes.

No. 7561-54/6635-*R(L)*

Copies are forwarded, for information, to the Commissioners, Lahore and Multan Divisions, with reference to the Punjab Government endorsement No. 8002-R(L), dated 1st September 1950.

APPENDIX X

PRESS NOTE

In continuation of the Press Note, dated the 2nd July 1954, it is further notified for the information and guidance of all concerned that it has now been decided to wind up as early as possible the work of the inspection of *jamabandis* in the Central Record Room. All the refugee claimants desirous of satisfying their doubts from the *jamabandis* are, therefore, advised to please put in their applications for the inspection of their relevant *jamabandis* either in the Central Record Room, Financial Commissioners' Office, Lahore, or in the office of the Deputy Commissioner/Additional Deputy Commissioner; Colonization Officer of their own district/colony, *within two months of the date of this Press Note, after which no application will be entertained.*

H. A. MAJID

Rehabilitation Commissioner (Land) and Secretary to Government, Punjab Resettlement and Colonies Department.

Dated the 14th July 1954.

No. 9158-54/6630-*R.* *(L), dated Lahore, the* 14*th July* 1954

A copy is forwarded to the Director, Public Relations, Punjab, Lahore, for favour of wide publicity, in continuation of the the Punjab Government endorsement No. 7782-54/6263-R(L), dated nil.

No. 9158-54/6631-R.*(L.)*.

COPIES are forwarded to:—

(1) All Deputy Commissioners and Additional Deputy Commissioners in the Punjab;

(2) Colonization Officer, Nili Bar Colony, Pakpattan;

(3) Assistant Colonization Officer, Haveli Project, Multan; and

(4) Thal Development Officer, Mianwali,

for information and necessary action, in continuation of the Punjab Government endorsement No. 7782-54/6264-R(L.), dated nil.

No. 9158-54/6632-*R.(L.)*

A COPY is forwarded to all Commissioners of Divisions in the Punjab, for information, in continuation of the Punjab Government endorsement No. 7782-54/6265-R.(L.), dated nil.

No. 9158-54/6633-*R.(L.)*

A COPY is forwarded to the Officer on Special Duty, Central Record Room, Lahore, for information and necessary action in continuation of the Punjab Government endorsement No. 7782-54/6266-R(L.), dated nil.

S. A. LATIF

Deputy Rehabilitation Commissioner (Land) and Under Secretary to Government, Punjab Resettlement and Colonies Department.

APPENDIX XI

Memorandum No. 3241-54/6728-*R(L), dated Lahore, the 20th July* 1954

From—S. A. Latif, Esquire, P.C.S., Deputy Rehabilitation Commissioner (Land) and Under-Secretary to Government, Punjab, Resettlement and Colonies Department.

To—(1) All Deputy Commissioners and Additional Deputy Commissioners in the Punjab; (2) The Thal Development Officer, Mianwali; (3) The Colonization Officer, Nili Bar Colony, Pakpattan; (4) The Assistant Colonization Officer, Haveli Project, Multan.

Subject—Recovery of rent of the evacuee agricultural land—Use of coercive processes, etc.

Reference—In continuation of the Punjab Government memo. No. 1212-R(L), dated the 17th February 1953.

H. A. Majid, Esquire, C.S.P., Rehabilitation Commissioner (Land) Punjab.

Your attention is invited to the Punjab Government memorandum under reference which reads *inter alia* that in no case should the arrears of rent of the evacuee agricultural land be recovered at any single harvest, for a period of more than 1½ harvests. This provides also that no arrests should be made for the recovery of the cash rent of the evacuee lands but that other coercive processes may be resorted to for the recovery of arrears of rent to the extent of 1½ harvest.

2. It has come to the notice of Rehabilitation Commissioner (Land) that departures have allowed to have been made in some cases in respect of the orders contained in the memo. under reference, as reproduced in paragraph 1 above. The Rehabilitation Commissioner (Land), Punjab, is therefore, pleased to order that in future no departure should be made in respect of these orders by any district officer. It should be ensured particularly that no arrest is made for the recovery of the cash rent as already decided, while all possible assistance should be given to the Lambardars in the matter of its recovery.

No. 3241-54/6729-*R(L)*,

Copies are forwarded to all Commissioners of Divisions, in the Punjab, for information.

APPENDIX XII

Memorandum No. 6785-54/6860-*R(L), dated Lahore, the 26th July* 1954

From—Ch. Nabi Ahmad, P.C.S., Additional Rehabilitation Commissioner (Land) and Deputy Secretary to Government, Punjab, Resettlement and Colonies Department.

To—(1) All Deputy Commissioners in the Punjab, (2) Thal Development Officer, Mianwali, (3) Colonization Officer, Nili Bar Colony, Pakpattan, (4) Assistant Colonization Officer, Haveli Project, Multan.

Subject—Rehabilitation Settlement Scheme—Partition of joint khatas Court Fee Stamp.

H. A. Majid, Esquire, C.S.P., Rehabilitation Commissioner (Land), Punjab.

The questions have arisen whether court fee stamps are to be affixed on the applications made for the partition of joint khatas and whether the relevant *sanad taqseem* should be prepared on non-judicial paper. The Rehabilitation Commissioner (Land) has ordered that the orders of the Rehabilitation Officers to effect partitions are sufficient authority and in the circumstances these do not need to be recorded on non-judicial stamped paper.

2. The Rehabilitation Commissioner (Land) has further ordered that in partitioning these joint *khatas* Rehabilitation Officers should merely separate the evacuee share and need not separate every co-partner's share as is done under the Land Revenue Act.

To the Deputy Commissioner, Shahpur—This disposes of your memorandum No. 327/S.O., dated the 5th May 1954.

No. 6785-54/6861-*R*(*L*).

Copies are forwarded to all—(1) Commissioners of Divisions, (2) Additional Deputy Commissioners in the Punjab, for (1) information, (2) information and guidance.

APPENDIX XIII(*i*)

Memorandum No. 9049-54/7577-*R*(*L*), *dated Lahore, the* 25*th August* 1954

From—S. A. Latif, Esquire, P.C.S., Under-Secretary to Government Punjab, Resettlement and Colonies Department.

To—The Commissioner, Multan Division.

Subject—Rehabilitation Settlement Scheme—Mutation of inheritance.

Reference—Continuation of paragraph 2 of the Punjab Government memo. No. 8282-R(L), dated the 25th October 1951.

A copy of the Punjab Government notification No. 785-Leg., dated the 6th July 1954, published in the *Punjab Gazette*, Extraordinary Issue, Wednesday, July 7th, 1954, amending the Punjab Land Revenue Act, is forwarded herewith for information and guidance.

No. 9094-54/7578-*R*(*L*.)

Copy, with a copy of the enclosure is forwarded to Deputy Commissioner, D. G. Khan, in continuation of the Punjab Government endorsement No. 8283-R(L.), dated the 25th October 1951, for information and guidance.

No. 9094-54/7579-*R*(*L*).

Copy, with a copy of the enclosure is forwarded for information and guidance, to :—

(1) Commissioners, Lahore and Rawalpindi Divisions.

(2) All Deputy Commissioners in the Punjab (except Deputy Commissioner, Dera Ghazi Khan).

(3) Thal Development Officer, Mianwali.

(4) Colonization Officer, Nili Bar Colony, Pakpattan.

(5) Assistant Colonization Officer, Haveli Project, Multan, in continuation of the Punjab Government endorsement No. 8284-R(L), dated the 25th October 1951.

APPENDIX XIII(*ii*)

EXTRAORDINARY ISSUE, THE PUNJAB GAZETTE, LAHORE, WEDNESDAY JULY 7TH, 1954

LEGISLATIVE DEPARTMENT

NOTIFICATION

The 6th July 1954

No. 785-Leg.—The following ordinance by His Excellency the Governor of the Punjab under section 88 of the Government of India Act, 1935, is hereby published for general information :—

THE PUNJAB LAND REVENUE (AMENDMENT ORDINANCE 1954)

AN

ORDINANCE

further to amend the Punjab Land Revenue Act, 1887

Preamble.

Whereas the Legislature of the Punjab is not in session and His Excellency the Governor of the Punjab is satisfied that circumstances exist which render it necessary for him to take immediate action to amend the Punjab Land Revenue Act, 1887, in the manner hereinafter appearing;

Now, therefore, in exercise of the powers conferred by section 88 of the Government of India Act, 1935, the Governor of the Punjab, is pleased to promulgate the following Ordinance.

1. (1) This ordinance may be called the Punjab Land Revenue (Amendment) Ordinance 1954.

(2) It shall come into force at once.

2. In subsection (1) of section 34 of the Punjab, Land Revenue Act, 1887.

(*i*) the word 'or' occurring after the words "Land revenue" shall be replaced by a comma;

(*ii*) the comma after the word "occupancy" shall be omitted; and

(*iii*) between the word "occupancy" and the word "shall" the words "or an allottee of evacuee land under the law for the time being in force" shall be inserted.

HABIB I. RAHIMTOOLA

MUHAMMAD RAFIQ,
Secretary to Government, Punjab,
Legislative Department

APPENDIX XIV

Memorandum No. 10761-54/7866-R(*L*), *dated Lahore, the* 4*th September* 1954

From—S. A. Latif, Esquire, P.C.S., Deputy Rehabilitation Commissioner (Land) and Under-Secretary to the Financial Commissioner, Resettlement and Colonies, Punjab.

To—(1) All Deputy Commissioners in the Punjab, (2) Thal Development Officer, Mianwali, (3) Colonization Officer, Nili Bar Colony, Pakpattan, (4) Assistant Colonization Officer, Haveli Project, Multan.

Subject—Rehabilitation Settlement Scheme—Determination of the status of tenants-at-will thereunder.

Reference—In continuation of this office circular memorandum No. 8383-53/4931-R(L), dated 15th May 1954.

Nasir Ahmad, Esquire, C.S.P., Rehabilitation Commissioner (Land) Punjab.

It appears that the instructions issued with this office memorandum under reference are being interpreted to imply the supersession of concessions granted to the refugee tenants-at-will of (1) Alwar and Bharatpur States, (2) Khatedars of Bikaner State; and (3) *Muzarain Shartia* of the Faridkot State in clause 37 of Chapter I, Part II of the Rehabilitation Settlement Scheme. In amplification of these instructions, it is explained that the instructions circulated with the memorandum referred to above to do not override any concession specifically granted to these tenants-at-will who will continue to enjoy them.

To the Deputy Commissioner, Multan—This disposes of your memorandum No. 6757-S., dated 4th August 1954.

No. 10761-54/7867-*R*(*L*)

Copies are forwarded to:—

(1) All Commissioners of divisions in the Punjab, for information;

(2) All Additional Deputy Commissioners in the Punjab, for information and guidance;

(3) Office on Special Duty (Central Record Room), Financial Commissioners' Office, Lahore, for information;

in continuation of this office circular endorsement No. 8383-54/4932-R(L), dated 15th May 1954.

APPENDIX XV

Memorandum No. 11431-54/8371-*R(L), dated Lahore, the 29th September*
1954

From—S. A. Latif, Esquire, P.C.S., Deputy Rehabilitation Comm sioner (Land) & Under-Secretary to the Financial Comm sioner, Resettlement and Colonies, Punjab.

To—(1) All Deputy Commissioners in the Punjab, (2) Thal Devel ment Officer, Mianwali, (3) Colonization Officer, Nili I Colony, Pakpattan, (4) Assistant Colonization Officer, Hav Project, Multan.

Subject—Rehabilitation Settlement Scheme-Determination of the s tus of tenants-at-will thereunder.

Reference—In continuation of this office circular memorandu No. 10761-54/7866-R(L)., dated 4th September 1954.

Nasir Ahmad, Esquire, C.S.P., Rehabilitation Commissioner (La Punjab.

THE Rehabilitation Commissioner (Land) has ordered that in ca where a refugee tenant-at-will of the states in question has been wron deprived of his entitlement under a mis-apprehension, this should now restored to him in accordance with law.

No. 11431-54/8372-*R(L.)*

COPIES are forwarded, to :—

(1) All Commissioners of divisions in the Punjab, for information

(2) All Additional Deputy Commissioners in the Punjab, for infor tion and compliance;

(3) Officer on Special Duty (Central Record Room), Finan Commissioners' Office, Lahore, for information.

in continuation of this circular endorsement No. 10761-54/7867-R(L), da 4th September 1954.

APPENDIX XVI

Memorandum No. 10606-54/8135-*R(L.), dated Lahore, the 21st Septemb*
1954

From—S.A. Latif, Esquire, P.C.S., Deputy Rehabilitation Com sioner (Land) and Under-Secretary to Government, Pun Resettlement and Colonies Department.

To—(1) All Deputy Commissioners in the Punjab; (2) Coloniza Officer, Nili Bar Colony, Pakpattan, (3) Assistant Colon tion Officer, Haveli Project, Multan, and (4) Thal Develop Officer, Mianwali.

Subject—*Tatimmah fardat haqiat* in respect of *Shamlat* areas.

IN the past, at the time of verification of claim forms shamlat were left over by the Central Record Room almost in all cases, as the *c* of these areas was incomplete and thus the objections when received i Central Record Room were sent back with a printed note informing the c ant that a *Tatimma Fard-Haqiat* would be issued as soon as a *chhant* *shamlat* areas was complete. This procedure was adopted in order to e the claimants to obtain allotments of land in respect of their other except *shamlat land.*

The shamlat land has now been sorted out and registers of right h in respect of these areas have been prepared in the Central Record I The Rehabilitation Commissioner (Land) has decided that tatimma *haqiqat* of *shamlat areas* should be issued to all the refugee claimants w entitled to the *shamlat* irrespective of the fact whether or not they ha in any objection and despatch them to the same place where the *I Haqiat* in respect of the original owned areas were sent.

The Rehabilitation Commissioner (Land) has further prescribed the following procedure for dealing with these *tatimmas* :—

The District Officers should on receipt of these *tatimmas shamlat* enter them in a seperate register to be kept for the purpose and then pass them on to the Naib-Tehsildar concerned who should also enter them in a similar way in a seperate register before forwarding them to the patwaris concerned. The patwaris should, immediately, on receipt add them to the relevant regular claim forms. He should at the same time enter them in Register R.L. II along with the entries of the original relevant *fardi haqiat*. In the case of those villages where land is still available or land still stands reserved in the names of those claimants in whose favour *tatimma shamlats* have been issued, allotments to be made on such *tatimmas* immediately. In these cases where land is not available in the villages concerned, allotments of land on *tatimma shamlats* should be made in the neighbouring villages where land is available.

No. 10606-54/8136-*R*(*L*).

COPIES are forwarded to all Additional Deputy Commissioners, and all Commissioners of Dvisions in the Punjab, for information.

No. 10606-54/8137-*R*(*L*.)

COPY is forwarded to the Officer on Special Duty (Central Record Room), Lahore, for information and immediate necessary action.

APPENDIX XVII

Memorandum No. 12382-54/8507-*R*(*L*.), *dated Lahore, the* 5*th October* 1954.

From—S. A. Latif, Esquire, P.C.S., Deputy Rehabilitation Commissioner (Land) and Under-Secretary to Government, Punjab, Resettlement and Colonies Department.

To—(1) All Deputy Commissioners in the Punjab, (2) The Thal Development Officer, Mianwali, (3) The Colonization Officer, Nili Bar Colony, Pakpattan. (4) The Assistant Colonization Officer, Haveli Project, Multan.

Subject—Rehabilitation Settlement Scheme-cutting of trees out of the area allotted thereunder.

Reference—Correspondence resting with the Punjab Government circular memo. No. 1751-R(L), dated the 3rd March, 1953.

Nasir Ahmad, Esquire, C.S.P., Rehabilitation Commissioner (*Land*) *Punjab.*

In order to assist the victims of the recent rains and floods in re-building or repairing their demaged houses, the Rehabilitation Commissioner (Land) is pleased to relax, *for the period of the current emergency only*, the instructions contained in the clause 42(*b*), Chapter I of Part II of the Rehabilitation Settlement Scheme regarding the felling of trees on evacuee land as follows :—

(*a*) *Allottees who have trees growing on the land allotted to them under the Rehabilitation Settlement Scheme.*

Permission to cut trees should be freely granted in genuine cases by the Assistant Rehabilitation Commissioners (Land) of and above the rank of an Additional Tahsildar who should, if possible, visit the spot with a view to verifying the facts.

(*b*) *Allottees who have no trees growing on the land allotted to them under the Rehabilitation Settlement Scheme.*

It will be realised that our allottees who have trees growing on their lands cannot be compelled to give them to less fortunate allottees. Where however, a gift of this kind is made voluntarily, there should be no objection to the felling of

trees by the person other than the allottee concerned with the explicit permission of Assistant Rehabilitation Commissioner (Land) of and above the rank of an Additional Tahsildar.

(c) *Trees growing on non-Allotted evacuee lands.*

Such trees may be allotted by the Assistant Rehabilitation Commissioner (Land) on application to both allottees under Rehabilitation Settlement Scheme and to temporary allottees for the purpose in question only.

(d) *Allotment of trees to temporary allottees.*

Necessary provision already exists in clause 42 (*b*) of Chapter I, Part II of the Rehabilitation Settlement Scheme as amended by correction slip No. 58-R(L), dated 21st May 1954.

2. It should be clearly understood that the above instructions will apply to the extent required and for the duration of the emergency declared in Punjab Government notification No. 9196-54/Gaz., dated 25th September 1954 and to the areas specified therein, and that on the termination of this period cutting of trees will continue to be governed by the instructions contained in clause 42 *at seq* of the Rehabilitation Settlement Scheme.

No. 12382-54/8508-R(L.)

COPIES are forwarded to all (1) Commissioners of divisions, (2) Additional Deputy Commissioners, Revenue Assistants, Additional Revenue Assistants, Tahsildars and Additional Tahsildars, in the Punjab, for (1) information, (2) information and guidance.

No. 12382-54/8509-R(L)

A COPY is forwarded to Director Public Relation, Punjab, Lahore, for favour of wide publicity.

APPENDIX XVIII

Memorandum No. 13153-54/9305-*R(L.), dated Lahore, the 4th November* 1954

From—S. A. Latif, Esquire, P.C.S., Deputy Rehabilitation Commissioner (Land) and Under-Secretary to Government, Punjab, Resettlement and Colonies Department.

To—(1) All Deputy Commissioners in the Punjab, (2) Thal Development Officer, Mianwali, (3) Colonization Officer, Nili Bar Colony, Pakpattan, (4) Assistant Colonization Officer, Haveli Project, Multan.

Subject—Cutting of Sarkandah for the construction of houses.

Reference—In continuation of the Punjab Government circular memorandum No. 12382-54/8507-R(L), dated 5th October 1954.

Nasir Ahmad, Esquire, C.S.P., Rehabilitation Commissioner (Land) Punjab.

THE Rehabilitation Commissioner (Land) has ordered that the orders issued in the Punjab Government circular memorandum under reference regarding the cutting of trees from the evacuee lands will also apply *mutatis mutandis* to the cutting of *sarkandah* from the un-allotted evacuee land.

No. 13153-54/9306-R(*L*)

COPIES are forwarded to all (1) Commissioners of divisions, (2) Additional Deputy Commissioners, Revenue Assistants, Additional Revenue Assistants, Tehsildars and Additional Tehsildars, in the Punjab for (1) information, (2) information and guidance in continuation of the Punjab Government circular endorsement No. 12382-54/8508-R(L), dated 5th October 1954.

No. 13153-54/9307-*R(L)*.

A COPY is forwarded, to the Director of Public Relations, Punjab, Lahore, for favour of wide publicity, in continuation of the Punjab Government endorsement No. 12382-54/8509-R(L), dated 5th October 1954.

APPENDIX XIX

Memorandum No. 9497-54/8591-*R(L.), dated Lahore, the 8th October* 1954

From—S. A. Latif, Esquire. P.C.S., Deputy Rehabilitation Commissioner (Land) and Under-Secretary to Government, Punjab, Resettlement and Colonies Department.

To—(1) The Deputy Commissioners and Additional Deputy Commissioners, Montgomery, Lyallpur and Multan, (2) The Colonization Officer, Nili Bar Colony. Pakpattan and (3) Assistant Colonization Officer, Haveli Project Multan.

Subject—Rehabilitation Settlement of refugees on land removal of non-allottees from the congested districts to non-congested districts.

Reference—Continuation of Punjab Government memorandum No. 9497-54/6582-R(L.), dated the 13th July 1954.

Nasir Ahmad, Esquire, C.S.P., Rehabilitation Commissioner (Land), Punjab.

As already observed in paragraph 7 of the proceedings of the meeting held on the 5th July 1954, forwarded to you with the memorandum under reference, it is hoped that it may be possible for you to show substantial progress in moving non-allottees from the congested districts to the non-congested districts within a period of about a month or two. The Rehabilitation Commissioner (Land) has therefore decided that the Deputy Commissioners and the Colonization Officers of the congested districts and Colonies should submit special reports indicating the progress made after two months. This report should have reached the Rehabilitation Commissioner(Land), Punjab by the 10th of October 1954 at the late.

No. 9497-54/8592-R(*L*).

A COPY is forwarded to the Commis ioner, Multan Division, for information.

APPENDIX XX

Memorandum No. 9497-54/8589-*R(L), dated Lahore, the 8th October* 1954

From—S. A. Latif, Esquire, P.C.S., Deputy Rehabilitation Commissioner (Land) and Under-Secretary to Government, Punjab, Resettlement and Colonies Department.

To—(1) All Deputy Commissioners and Additional Deputy Commissioners, in the Punjab, (2) Colonization Officer, Nili Bar Colony, Pakpattan, (3) Assistant Colonization Officer, Haveli Project, Multan; and (4) Thal Development Officer, Mianwali.

Subject—Transfer of claim forms within the Colony area situated in different districts.

Nasir Ahmad, Esquire, C.S.P., Rehabilitation Commissioner (Land), Punjab

During the course of discussion in the meeting of the Deputy Commissioners and Colonization Officers of the congested districts and Colonies of the Multan Division, held on the 5th July 1954, it was brought to the notice of Rehabilitation Commissioner (Land), Punjab that some confusion existed with regard to the point whether or not Colonization Officers were competent to transfer claim forms from the congested part of their Colony in one district to another congested part of the same Colony lying in another district, i.e. the

district may be regarded as a unit for this purpose or the Colony. The Rehabilitation Commissioner (Land) has decided that the colony should be treated as one unit and surplusarea found available any where in the colony should be used for meeting the claims of the allottees of the same colony, even though the claims may have been registered in a part of the colony in a district different than the one in which the surplus area is available.

No. 9497-54/8590-*R*(*L*.)

A COPY is forwarded to all Commissioners of Divisions in the Punjab, for information.

APPENDIX XXI

Memorandum No. 10257-54/8526-*R*(*L*.), *dated Lahore, the* 9*th October* 1954

From—Ch. Sultan Muhammad, Officer on Special Duty, (Central Record Room).

To—The Colonization Officer, Nili Bar Colony, Pakpattan.

Subject—Inspection of Jamabandis in the Central Record.

Reference—Your memorandum No. 869/S, dated the 26th July 1954, on this subject.

No form has been prescribed for application for the inspection of Jamabandis. A court fee stamp of Rs. 5 per claimant, has been prescribed for affixing on such applications. The applicant who produces re-verified fard-i-haqiat in respect of his claim form is, however, exempted from affixing any court fee stamp. In order to eliminate undesirable elements and to see that only ***bona fide*** claimants make inspection of Jamabandi, you are further advised to check up the original receipt of the claim form of the applicants before accepting their applications for the purpose and the order of your satisfaction to this effect should please be recorded in writing on the applications themselves.

No. 10257-54/8527-*R*(*L*).

COPIES with copies of the memorandum replied to, are forwarded to :—

(1) All the Deputy Commissioners and Additional Deputy Commissioners in the Punjab;

(2) Assistant Colonization Officer, Haveli Project, Multan;

(3) Thal Development Officer, Mianwali,

for information, and necessary action.

No. 10257-54/8528-*R*(*L*)

COPIES with copies of the memorandum replied to are forwarded to all Commissioners of divisions in the Punjab, for information.

APPENDIX XXII

Memorandum No. 12030-54/8839-*R*(*L*), *dated Lahore, the* 14*th October* 1954

From—S. A. Latif, Esquire, P.C.S., Deputy Rehabilitation Commissioner (Land) and Under-Secretary to Government, Punjab, Resettlement and Colonies Department.

To—(1) All The Deputy Commissioners in the Punjab, (2) (*i*) The Thal Development Officer, Mianwali, (*ii*) The Colonization Officer, Nili Bar Colony, Pakpattan, (*iii*) The Assistant Colonization Officer, Haveli Project, Multan.

Subject--Rehabilitation Settlement Scheme-Reservation of areas for refugees whose claims have not been verified.

Reference—In continuation of Punjab Government circular memorandum No. 9357-R(L), dated the 10th November 1953.

Nasir Ahmad, Esquire, C.S.P., Rehabilitation Commissioner (*Land*), *Punjab*.

IN amplification of the instructions issued with the memorandum under reference, Rehabilitation Commissioner (Land) has decided that the tem-

porary allottees should be asked to produce a certificate from the Central Record Room to the effect tnat their claim forms are under verification and that the land exists in their name. It has been further decided that the time limit for the verification of such a claim form or the production of a certificate thereof should be fixed at six months.

No. 12030-54/8840-*R* (*L*)

COPIES are forwarded, for information, to :—

(1) All the Commissioners of divisions in the Punjab;

(2) The Officer on Special Duty (Central Record Room), Financial Commissioners' Office, Lahore.

(3) All the Additional Deputy Commissioners in the Punjab, in continuation of Punjab Government endorsement No. 9358-R(L), dated the 10th November 1953.

APPENDIX XXIII

Memorandum No. 11421-53/9178-*R*(*L*), *dated Lahore, the* 30*th October* 1954

From—S. A. Latif, Esquire, P.C.S., Deputy Rehabilitation Commissioner, (Land) and Under-Secretary to Financial Commissioner, Resettlement and Colonies, Punjab.

To—(1) All Deputy Commissioners in the Punjab, (2) Thal Development Officer, Mianwali, (3) Colonization Officer, Nili Bar Colony, Pakpattan, (4) Assistant Colonization Officer, Haveli Project, Multan.

Subject—Land verified as *Ghair mumkin Pahar*-Produce Indices thereof.

Reference—Financial Commissioner's circular endorsement No. 2670-R(L.), dated 7th April 1953.

Nasir Ahmad, Esquire, C.S.P., Rehabilitation Commissioner (*Land*), *Punjab*

IN view of the fact that it has not been possible to verify the actual area under forest growth, some difficulty has been experienced in implementing the concession granted for the Ambala and Hoshiarpur districts in respect of *Ghair Mumkin Jungal* soil, —*vide* correction slip No. 107-P.I., dated the 7th April 1953, to the Produce Index pamphlet (copy circulated with endorsement No. 2670-R(L), dated the 7th April 1953). To obviate further hardship to the claimants concerned, the Rehabilitation Commissioner (Land), is pleased to direct that pending further orders, the following method of granting the concession under reference should be adopted:—

(*a*) In cases where the entire area of a village has been notified under the Land preservation (Chos) Act, 50 per cent of the area claimed as *Ghair Mumkin Jungal* shall be permitted to a claimant and its value in produce indices calculated in accordance with correction slip No. 107-P.I., to the Produce Index pamphlet.

(*b*) Where, however, a village has only been partly notified under the Land preservation (Chos) Act, claimants of *Ghair Mumkin Jungal* will only be permitted one-third or 33·1/3 per cent of the area claimed and its produce index value calculated as above.

2. The onus of proving that a village has been wholly or partly notified under the Chos Act will rest on the claimant who should also be given to understand that these allotments are purely *ad hoc* and subject to final adjustment after details of the area have been obtained from the East Punjab (India) authorities.

No. 11421-53/9179-*R*(*L.*)

A COPY is forwarded for information to :—

(1) All Commissioners of the divisions in the Punjab;

(2) All Additional Deputy Commissioners in the Punjab.

(3) Officer on Special Duty (Central Record Room), Financial Commissioners Office, Lahore.

APPENDIX XXIV

Memorandum No. 12411-54/9303-*R(L), dated Lahore, the 4th November* 1954

From—Inayat Ullah, Esquire, C.S.P., Additional Rehabilitation Commissioner (Land) and Deputy Secretary to Government, Punjab, Resettlement and Colonies Department.

To—(1) All Deputy Commissioners in the Punjab, (2) the Colonization Officer, Nili Bar Colony, Pakpattan, (3) the Assistant Colonization Officer, Haveli Project, Multan, and (4) the Thal Development Officer, Mianwali.

Subject—Settlement of claims made on the basis of decrees of Civil Courts or registered deeds executed before the partition.

To avoid hardship to the claimants who secure declarations from the Additional Rehabilitation Commissioner (Land), Punjab, on the basis of decrees of civil courts or registered deeds, effect to which could not be given in the revenue records due to the disturbed conditions before the partition, the Rehabilitation Commissioner(Land), Punjab, has decided that simultaneously with the grant of such declaration orders should also be issued by the Additional Rehabilitation Commissioner (Land), for reservation of the area involved in favour of the mortagees or the alienees as the case may be Such orders of the Additional Rehabilitation Commissioner(Land) regarding reservation shall be immediately given effect to by the DeputyRehabilitation Commissioners (Land) of the district concerned.

No. 12411-54/9304-*R(L)*

COPIES are forwarded to :—

(1) All Commissioners of divisions in the Punjab;

(2) All Additional Deputy Commissioners in the Punjab,

(3) Officer on Special Duty (Central Record Room), Lahore,

for information.

APPENDIX XXV

Memorandum No. 12770-54/4585-*R(L.), dated Lahore, the 15th November* 1954

From—Inayat Ullah, Esquire, C.S.P., Additional Rehabilitation Commissioner (Land) and Deputy Secretary to Government, Punjab, Resettlement and Colonies Department.

To—(1) All Deputy Commissioners in the Punjab, (2) Thal Development Officer, Mianwali, (3) Colonization Officer ,Nili Bar Colony, Pakpattan,(4) Assistant Colonization Officer, Haveli Project, Multan.

Subject— Rehabilitation Settlement Scheme-Rate of fee to be imposed on land allotted thereunder.

Reference—Punjab Government circular memorandum No. 3265-54/6552-R(L), dated 12th June 1954.

Nasir Ahmad, Esquire, C.S.P., Rehabilitation Commissioner (Land), Punjab.

IT has been represented that the recovery of the rehabilitation fee should be postponed in the areas affected by the recent floods as the Kharif crops in some districts have been totally destroyed. The Rehabilitation Commissioner (Land) has accordingly decided that the reovery of the current instalment of rehabilitation fee may be postponed in all cases where the recovery of land revenue is remitted or postponed.

No. 12770-54/4586-R(*L*).

COPIES are forwarded to all (1) Commissioners of Divisions, (2) Additional Deputy Commissioners, in the Punjab, for information (2) information and guidance with reference to Punjab Government endorsement No. 3265-54/5653-R(L), dated 12th June 1954.

APPENDIX XXVI

Memorandum No. 10799-54/10355-*R(L), dated Lahore, the* 14*th December* 1954

From—S. A. Latif, Esquire, P.C.S., Under-Secretary to the Financial Commissioners, Resettlement and Colonies, Punjab.

To—All Deputy Commissioners in the Punjab, (1) The Thal Development Authority, Mianwali, (2) The Colonization Officer, Nili Bar Colony, Pakpattan, (3) The Assistant Colonization Officer, Haveli Project, Multan.

Subject—Evacuee Agricultural Land in Delhi Province Assessment Circle thereof.

Reference—In continuation of Officer on Special Duty (Central Record Room)'s Circular memorandum No. 1671-A/C.R.R., dated 22nd September 1954.

The villages at serial numbers 110 to 125 (both inclusive) and at number 128 of the list of the village forwarded to you with Officer on Special Duty (Central Record Room)'s memorandum under reference should be treated as situated in the Khadar assessment Circle of Delhi District North instead of Shahdara Assessment Circle.

For Deputy Commissioner, Sargodha only—This office memorandum No. 9229-R (L), dated the 1st December 1951, should be treated as cancelled.

No. 10799-54/10356- *R(L).*

A copy is forwarded for information to :—

(1) All Commissioners of divisions in the Punjab,

(2) All Additional Deputy Commissioners in the Punjab in continuation of the Officer on Special Duty (Central Record Room's) endorsement No. 1672-A/C.R.R., dated 22nd September 1954.

No. 10799-54/10357

A copy is forwarded for information to :—

(1) Officer on Special Duty (Land),

(2) All Tahsildars in Central Record Room in continuation of O. S. D. (C. R. R.'s) endorsement No. 1673-A/C.R.R., dated 22nd September 1954.

APPENDIX XXVII

Memorandum No. 11866-54/10729-*R(L), dated Lahore, the* 24*th December* 1954

From— S. A. Latif, Esquire, P.C.S., Under-Secretary to Government, Punjab, Resettlement and Colonies Department.

To—(1) All Deputy Commissioners and Additional Deputy Commissioners in the Punjab, (2) The Thal Development Officer, Mianwali, (3) The Colonization Officer, Nili Bar Colony, Pakpattan, (4) The Assistant Colonization Officer, Haveli Project, Multan.

Subject—Writing off irrecoverable arrears of cash rent of the evacuee agricultural lands.

I. U. Khan, Esquire, C.S.P., Financial Commissioner, Resettlement and Rehabilitation Commissioner (Land), Punjab.

The question of writing off irrecoverable arrears of cash rent of evacuee agricultural lands has been considered and it has been decided in consultation with the Custodian, Evacuee Property, Punjab, that these cases should be dealt with under the normal Revenue Law applicable to non-evacuee lands. This will mean that all cases of writing off irrecoverable arrears of cash rent of evacuee agricultural lands will be dealt with in the same manner as a case about writing off irrecoverable arrears of land revenue.

The Commissioners of divisions will exercise the same powers in this respect as they exercise in dealing with cases of writing off irrecoverable arrears of land revenue. Similarly the Financial Commissioner, Resettlement will exercise the normal powers of a Financial Commissioner in dealing with these cases.

2. The irrecoverable rent of agricultural evacuee land due from allottees and written off under the orders of the competent revenue authorities shall be shown in red ink in the Challan Form in column No. 3 (total rent collected), below the entry of the total amount actually collected. The number and date of the order sanctioning the write off should be quoted in the remarks column of the Challans and copies of the relevant orders giving the reasons for the write off should invariably be sent to the Deputy Rehabilitation Commissioners (Urban) along with the treasury challans for audit purposes. The Deputy Rehabilitation Commissioners (Urban) will book the irrecoverable amount in the Collection, column of the Demand and Collection Register and this amount will be deducted from the total demand giving correct balance outstanding at the close of the year.

No. 11866-54/10730-*R(L)*,

COPIES are forwarded to all the Commissioners of divisions in the Punjab, for information.

To the Commissioner, Rawalpindi/Multan Division—This also dispose of his endorsement No. 1942/Finl., dated the 6th November 1953/ memorandum No. 721-369/5549, dated the 13th April 1954.

A COPY is forwarded to —

(1) the Custodian of Evacuee Property, Punjab, for information, with reference to his communication noted in the margin;

No. CEP/VIII-B-2 (b)/D.M./T.S./ 1229, dated the 21st July 1954.

(2) the Rehabilitation Commissioner (General) Punjab, for information and necessary action with reference to his U. O. No. 3580/Reh-Acc-C/460-54, dated the 14th December 1954;

(3) Finance Department; for information.

U. O. No. 11866-54/10570-*R(L), dated Lahore, the 24th December* 1954.

APPENDIX XXVIII

Memorandum No. 13481-54/10859-*R(L), dated Lahore, the 30th December* 1954

From—S. A. Latif, Esquire, P.C.S., Deputy Rehabilitation Commissioner (Land) and Under-Secretary to Government, Punjab, Resettlement and Colonies Department.

To—(1) All Deputy Commissioners and Additional Deputy Commissioners in the Punjab, (2) Thal Development Officer, Mianwali, (3) Colonization Officer, Nili Bar Colony, Pakpattan, (4) Assistant Colonization Officer, Haveli Project, Multan.

Subject—Rehabilitation Settlement Scheme—Compensation to *tabe marzi* tenants of Kapurthala State thereunder.

I. U. Khan, Esquire, C.S P., Rehabilitation Commissioner (Land), Punjab

IT has been represented by *tabe marzi* tenants of Kapurthala State that they are being disturbed from the lands allotted to them either temporarily or under the Rehabilitation Settlement Scheme in view of the instructions circulated with the Punjab Government memorandum No. 8383-54/ 4931-R(L), dated the 15th May 1954. The question of the determination of the rights of the *tabe marzi* tenants of Kapurthala State is still under the consideration of Government and it will take some time to arrive at a fina

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decision. The Rehabilitation Commissioner (Land) has, therefore, been pleased to order that in the mean time *status quo* should be maintained with regard to the possession of land allotted either temporarily or under the Rehabilitation Settlement Scheme pending the decision of the question referred to above.

No. 13481-54/10860-*R*(*L*).

A COPY is forwarded, for information, to—

(1) Ismail, Muhammad Ali, residents of Chaks Nos. 95 Ghari and 71, Tahsil and District Lyallpur;

(2) Rehmat Ali, resident of Chak 11, Tahsil Okara, District Montgomery:

(3) Sardar Ali, Lambardar, Mauza Rachand, Tahsil and District Sheikhupura,

with reference to the joint petitions submitted to the Financial Commissioner, Resettlement on behalf of the *tabe marzi* tenants of Kapurthala State.

APPENDIX XXIX

Memorandum No. 7561-54/6636-*R* (*L*), *dated Lahore, the* 14*th July* 1954

From—Ch. Nabi Ahmad, P.C.S., Additional Rehabilitation Commissioner (Land) and Deputy Secretary to Government, Punjab, Resettlement and Colonies Department.

To—(1) All Deputy Commissioners in the Punjab, (2) Thal Development Officer, Mianwali, (3) Colonization Officer, Nili Bar Colony, Pakpattan, (4) Assistant Colonization Officer, Haveli Project, Multan.

Subject—Allotment of land to persons who had ownership or occupancy rights in areas included in the Pakistan territory but situated on the Indian Dominion side of the Rivers Ravi and Sutlej.

Reference—In continuation of the Punjab Government Circular memorandum No. 452-R(L), dated 22nd January 1953.

THE Rehabilitation Commissioner (Land) has decided that persons who had ownership, occupancy and other rights in land falling in Pakistan territory according to the Redcliff Award but situated on the Indian side of the Rivers Ravi and Sutlej and who had to abandon such rights under the existing conditions will as provided in clause 27 of Chapter I, Part II of the Rehabilitation Settlement Scheme, continue to be temporarily compensated on the same scale and in the same manner as the refugee right-holders of the prescribed territory. This concession was allowed to these persons in the Punjab Government memorandum No. 5014-R(L), dated 24th May 1950, and with a view to ensuring uniformity in the verification of the claim forms prescribed for the purpose, the Rehabilitation Commissioner (Land) has decided that the date of the issue of the letter mentioned above, viz.,24th May 1950, should be taken as the date on which the extent of the land lost across the Border river should be ascertained. This would mean that the position will be the one as found at the time of the *girdawari* for *Kharif*, 1950. A local inquiry in each individual case will be essential in order to ascertain the extent of the right of a particular claimant under the provisions of the said clause. Among other cogent evidence that may be available for the purpose, the local officers should be guided by the entries in the Crop Inspection Register. Naturally the Crop Inspection Register will be blank in regard to the fields out of the reach of the local staff and it can be presumed, unless evidence to the contrary is available, that the fields for which entries do not exist in the Crop Inspection Register were in the *de facto* control of India during the harvest specified above. The local officers should, therefore, exercise extreme care in the verification of such claims. In no case should a claim be permitted to be verified for an area more than the one originally claimed. The allotment in question will be purely of a temporary nature and the allottees will have to surrender them as soon as it is possible to retrieve the physical possession of their own lands from the *de facto* control of India.

No. 7561-54/6637-*R(L)*

COPIES are forwarded to all (1) Commissioners of Divisions, (2) Additional Deputy Commissioners, in the Punjab, in continuation of the Punjab Government endorsement No. 453-R(L), dated 22nd January 1953, for (1) information (2) information and guidance.

APPENDIX XXX

Memorandum No. 7546-54/6646-*R(L), dated Lahore, the* 15*th July* 1954

From—S. A. Latif, Esquire, P.C.S., Deputy Rehabilitation Commissioner (Land) and Uuder-Secretary to Government, Punjab, Resettlement and Colonies Department.

To—(1) All the Deputy Commissioners and Additional Deputy Commissioners in the Punjab, (2) The Thal Development Officer, Mianwali, (3) The Colonization Officer, Nili Bar Colony, Pakpattan, (4) The Assistant Colonization Officer, Haveli Project, Multan.

Subject—Allotment of agricultural land in the Urban Areas.

Reference—The Punjab Government memorandum No. 9426-R(L), dated the 12th November 1953.

H. A. Majid, Esquire, C.S.P., Rehabilitation Commissioner (Land), Punjab

YOUR attention is invited to the Circular memorandum No. 3672-Reh-2RF/54, dated the 26th April 1954, from the Rehabilitation Commissioner (G), Punjab, addressed to all the Deputy Rehabilitation Commissioners in the Punjab (copy enclosed for ready reference). This prescribes *inter alia* that the further allotment of agricultural land lying within Urban Areas of the Punjab should be stopped with immediate effect.

2. It has now been decided in consultation with the Rehabilitation Commissioner (G), Punjab, that if any evacuee urban agricultural land is available for allotment (i.e., if it is not already in the possession of an authorised person eligible for the allotment of such land and is so to say empty), the same may be allotted temporarily to deserving refugees in order to ensure efficient management of evacuee property. Such an allotment will be temporary, pure and simple, and will not confer any rights on the allottee. Further it will not be considered to be compensatory in character in accordance with the terms of the memorandum of 12th November 1953, under reference.

3. You should ensure, however, that no further allotments are made in respect of the vacant residential plots and such other plots as were not entered in the revenue records as agricultural plots at the time of the partition.

4. The orders contained in the memorandum of the Rehabilitation Commissioner (G), Punjab, referred to in paragraph 1 above, should please be considered as modified to this extent.

(*For the Deputy Commissioner, Attock only*)—This also disposes of your memorandum No. 3086-G, dated the 19th May 1954.

No. 7546-54/6617-*R(L)*

COPIES are forwarded to all the Commissioners of Divisions in the Punjab, for information.

No. 7546-54/6648-*R(L)*

A COPY is forwarded to the Rehabilitation, Commissioner (G), Punjab, for information, with reference to the correspondence resting with his communication noted in the margin.

U. O. No. 1232-P.A.-R.h., dated 25th June 1954.

APPENDIX XXXI

Memorandum No. 9288-54/6868-*R*(*L*), *dated Lahore, the* 26*th July* 1954

From—Ch. Nabi Ahmad, P.C.S., Additional Rehabilitation Commissioner (Land) and Deputy Secretary to Government, Punjab, Resettlement and Colonies Department.

To—(1) All Deputy Commissioners and Additional Deputy Commissioners in the Punjab, (2) The Thal Development Officer, Mianwali, (3) The Colonization Officer, Nili Bar Colony, Pakpattan, and (4) The Assistant Colonization Officer, Haveli Project, Multan.

Subject—Recovery of rent in respect of the evacuee agricultural land allotted for industrial purposes.

H. A. Majid, Esquire, C.S.P., Rehabilitation Commissioner (*Land*), *Punjab.*

In some cases the possession of the evacuee agricultural lands has been given to the industrialists in advance of its actual acquisition. The Rehabilitation Commissioner (Land), Punjab, is, therefore, pleased to order that in all such cases rent should continue to be charged until the land is actually acquired. The annual rent will be at 4 per cent of the estimated price of the land in each case.

2. You are further requested to please assess and collect rents for the evacuee agricultural lands of which the possession has been given to the industialists in advance of the actual acquisition, accordingly.

No. 9288-54/6869-*R* (*L*)

Copies are forwarded to all the Commissioners of divisions in the Punjab, for information.

APPENDIX XXXII

Memorandum No. 7213-54/6679-*R*(*L*), *dated Lahore, the* 17*th July* 1954

From—Ch. Nabi Ahmad, P.C.S., Additional Rehabilitation Commissioner (Land) and Deputy Secretary to Government, Punjab, Resettlement and Colonies Department.

To—(1) All Deputy Commissioners, in the Punjab, (2) Thal Development Officer, Mianwali, (3) Colonization Officer, Nili Bar Colony, Pakpattan, (4) Assistant Colonization Officer, Haveli Project, Multan.

Subject—Allotment of evcuee land for non-agricultural purposes.

Reference—In continuation of Punjab Government memorandum No. 988-54/5226-R(L), dated the 27th May 1954.

H. A. Majid, Esquire, C.S.P., Rehabilitation Commissioner (*Land*), *Punjab*

In accordance with section 14 (1) of the Pakistan Administration of Evacuee Property Ordinance, the Rehabilitation Commissioner (Land), is competent to allot evacuee land to any person for the Rehabilitation of refugees or social or economic rehabilitation in the Punjab. Such allotment, however, are generally confined to land required for agricultural purposes only.

2. It has now been decided that in cases where evacuee agricultural land is required by a Department or Institution for purposes other than agriculture, the best course will be to advise the department or institution concerned to acquire the evacuee land in a regular manner. Where, however, it is not possible to acquire the land, and the land is required for genuine beneficient purposes, it may be allotted by the local Deputy Rehabilitation Commissioner (Land), subject to the same conditions laid down in the Punjab Government circular memorandum No. 5324-R(L), dated the 2nd July 1951, for the allotment of building sites.

No. 7213-54/6680-*R*(*L*)

COPIES are forwarded, for information, to all Commissioners of divisions and Additional Deputy Commissioners in the Punjab in continuation of Punjab Government endorsement No. 988-54/5227-R(L), dated the 27th May 1954.

APPENDIX XXXIII

Memorandum No. 11509-53/8100-*R*(*L*), *dated Lahore, the* 16*th September* 1954

From—Ch. Nabi Ahmad, P.C.S., Additional Rehabilitation Commissioner (Land) and Resettlement and Colonies Secretary to the Financial Commissioners, Punjab.

To—(1) All Deputy Commissioners in the Punjab, (2) Thal Development Officer, Mianwali, (3) Colonization Officer, Nili Bar Colony, Pakpattan, (4) Assistant Colonization Officer, Haveli Project, Multan.

Subject—Temporary allotments of evacuee lands.

Nasir Ahmad, Esquire, C.S.P., Rehabilitation Commissioner (Land), Punjab

SOME misapprehension appears to prevail in certain districts that temporary allotment of evacuee land is unrestricted even at the present advanced stage of resettlement operations. This is incorrect. Temporary allotments of evacuee lands are permissible at this stage only in the following cases : —

(*i*) Displaced refugee and local tenants subject to the conditions circulated with the Punjab Government memorandum No. 4732-R(L), dated the 16th July 1952, read with the Punjab Government memorandum No. 82-R(L), dated the 6th January 1953.

(*ii*) Widows and orphans whose husbands or parents respectively were the victims of partition disturbances subject to the conditions prescribed in the Punjab Government circular memorandum No. 9870-R(L), dated the 16th December 1952, read with the Punjab Government circular memorandum No. 1141-54/1755-R(L), dated the 17th February 1954.

(*iii*) Refugees from Rampur, Bhopal, etc., who are of Punjab extraction but went there to colonize new lands,—*vide* the Punjab Government circular memorandum No. 2483-R(L), dated the 1st April 1952.

(*iv*) Refugees from Jammu and Kashmir who are allotted evacuee land of the prescribed categories in the six border district of Sialkot, Gujranwala, Gujrat, Jhelum, Rawalpindi and Attock in accrodance with the special instructions issued from time to time.

(*v*) Heirs and dependents of non-Muslim evacuee landlords who preferred to stay on in Pakistan and are allotted their shares in accordance with the instructions contained in the clauses 36 of Chapter 1, Part I of the Rehabilitation Settlement Scheme.

2. The Rehabilitation Commissioner (Land) has further decided that the *status quo* should be maintained in this respect and no further temporary allotment be made to refugees from the non-prescribed areas pending a final decision of their case by the Government of Pakistan.

No. 11509-53/8101-*R*(*L*)

COPIES are forwarded to all (1) Commissioners of Divisions, (2) Additional Deputy Commissioners, in the Punjab, for (1) information (2) information and guidance.

APPENDIX XXXIV

Memorandum No. 9761-54/7735-R(L), dated Lahore, the 28th August 1954

From—S. A. Latif, Esquire, P.C.S., Deputy Rehabilitation Commissioner (Land) and Under-Secretary to Government, Punjab, Resettlement and Colonies Department.

To—(1) The Deputy Commissioners and Additional Deputy Commissioners, Montgomery, Lyallpur and Multan, (2) The Colonization Officer, Nili Bar Colony, Pakpattan, (3) The Assistant Colonization Officer, Haveli Project, Multan.

Subject—Rehabilitation Settlement Scheme—Treatment to be meted out to temporary allottees of Crown Land.

Reference—Paragraph 2 of the Punjab Government memorandum No. 9497-54-6582-R(L), dated 13th July 1954.

Nasir Ahmad, Esquire, C.S.P., Rehabilitation Commissioner (Land), Punjab

THE Rehabilitation Commissioner (Land) has decided that all possible pressure should be applied to the allottees of crown land to accept allotment of evacuee land and to surrender possession of the crown land held by them in temporary allotment. In cases where a particular allottee of crown land fulfils the conditions of the scheme for the allotment of crown land to refugee tenants and small landowners circulated with Punjab Government memorandum No. 650-Th., dated 17th July 1952, action should be taken to accommodate him under that scheme. This would mean the automatic disposal of his claim registered under the Rehabilitation Settlement Scheme. In other cases, all possible attempts should be made to settle the outstanding claims of such allottees who may, however, pending the settlement of their claims, be permitted to continue in possession of the crown land on payment of the rent already fixed. In order to ensure that this concession of permitting the present allottees to continue in possession of crown land for a further space of time is not abused by such allottees as are reluctant to move elsewhere, the Rehabilitation Commissioner (Land) has directed that the progress of transplanting these allottee of crown land on evacuee land should be watched very carefully and the position reviewed again after some time.

No. 9761-54/7736-R (L)

COPIES are forwarded, for information, to the Deputy Commissioner, Sheikhupura, Jhang, Muzaffargarh and Dera Ghazi Khan, with reference to the Punjab Government endorsement No 9497-54/6583-R(L), dated the 13th July 1954.

No. 9761-54[7737-R (L)

A COPY is forwarded, for information, to the Commissioner, Multan Division, Multan, with reference to the Punjab Government endorsement No. 9497-54/6581-R(L), dated the 13th July 1954.

APPENDIX XXXV

Memorandum No. 11481-54/8565-R(L), dated Lahore, the 29th September 1954

From—Ch. Nabi Ahmad, P.C.S., Additional Rehabilitation Commissioner (Land) and Deputy Secretary to Government, Punjab, Resettlement and Colonies Department.

To—(1) All Deputy Commissioners in the Punjab, (2) Thal Development Officer, Mianwali, (3) The Colonization Officer, Nili Bar Colony, Pakpattan, (4) The Assistant Colonization Officer, Haveli Project, Multan.

Subject—Acquisition of the evacuee immovable property in the Punjab.

Nasir Ahmad, Esquire, C.S.P., Rehabilitation Commissioner (Land), Punjab.

YOUR attention is invited to paragrah 3 of the Punjab Government circular letter No. 5042-Reh-II-52/2699, dated the 27th January 1953, on the

above subject which lays down that a No Objection Certificate should be issued by the Deputy Rehabilitation Commissioner (Urban) if the property proposed to be acquired is situated in the urban area and by the Deputy Rehabilitation Commissioner (Land) if it is in the rural area. It has now been decided in consultation with the Rehabilitation Commissioner (General), Punjab, that the requisite No Objection Certificate for agricultural land in the urban areas of the Punjab should issue by the Deputy Rehabilitation Commissioners (Urban), in consultation with the Deputy Rehabilitation Commissioner (Land). You are requested, however, please to ensure that the No objection Certificates in question are not issued as a matter of routine. Before issuing the certificates, you should please verify whether it would be possible to provide alternative accommodation to the existing occupant of the land. If this be not possible, a statement to this effect should please be recorded in the certificate. In any case it should be definitely stated in every such certificate as may be issued whether or not it would be possible to provide alternative accommodation to the existing occupants of the land before dispossessing them.

2. It has been brought to the notice of the Rehabilitation Commissioner (Land) that sometimes inordinate delays occur in the issue of the No objection Certificates by the Deputy Rehabilitation Commissioners (Land), in respect of the evacuee areas earmarked for development purposes. Such delays should please be avoided at all cost.

No. 11481-54/8366-*R*(*L*)

Copies are forwarded to all the Commissioners of divisions in the Punjab for information in continuation of the Punjab Government endorsement No. 4860-II-Reh-4RF/54, dated the 18th August 1954.

A copy is forwarded for information to :—

(1) the Rehabilitation Commissioner (General), Punjab, with reference to his endorsement No. 4860-II-Reh-4RF/54, dated the 18th August 1954.

(2) the Deputy Secretary to Government, Punjab, Medical and Local Government Departments with reference to his un-official No. 4516-54/C&P, dated the 20th May 1954. This also disposes of his communication noted in the margin.

No. 4516-54/C. &. P., dated the 17th July 1954.

U. O. No. 11481-54/7068-*R*(*L*), *dated Lahore, the* 29*th September* 1954.

APPENDIX XXXVI

Memorandum No. 12026-54/8908-*R*(*L*), *dated Lahore, the* 18*th October* 1954

From—Ch. Nabi Ahmad, P.C.S., Additional Rehabilitation Commissioner (Land) and Deputy Secretary to Government, Punjab, Resettlement and Colonies Department.

To—(1) All Deputy Commissioners in the Punjab, (2) Thal Development Officer, Mianwali, (3) Colonization Officer, Nili Bar Colony, Pakpattan, (4) Assistant Colonization Officer, Haveli Project, Multan.

Subject—Temporary allotment of land to the widows and orphans of refugees.

Reference—In continuation of the Punjab Government circular memorandum No. 1141-54/1755-R(L), dated the 13th February 1954.

Nasir Ahmad, Esquire, C.S.P., Rehabilitation Commissioner (*Land*), *Punjab.*

The Rehabilitation Commissioner (Land) has decided that refugees widows and orphans, other than those whose husbands and parents respec-

tively were killed in disturbances at the time of partition in 1947 and who have been allowed temporary allotments in accordance with the scheme outlined in the Punjab Government circular memorandum No. 9870-R(L), dated 16th December 1952, read with the Punjab Government Circular memorandum No. 1141-54/1755-R(L), dated the 13th February 1954, may also be considered for temporary allotment of evacuee agricultural land, which may be available for temporary allotment. The latter category will, however, have preference over the former. It should be understood that this concession is only intended for widow and orphans in indigent circumstances and is not intended for those who succeed to any property; they will not be eligible for temporary allotment of agricultural land.

No. 12026-54/8909-*R* (*L*).

COPIES are forwarded to all the (1) Commissioners of divisions, (2) Additional Deputy Commissioners in the Punjab, for (1) information (2) information and guidance, in continuation of the Punjab Government Circular endorsement No. 1141-54/1756-R(L), dated 13th February 1954.

APPENDIX XXXVII

Memorandum No. 11413-54/10533-*R*(*L*), *dated Lahore, the* 17*th December* 1954

From—Inayat Ullah, Esquire, C.S.P., Additional Rehabilitation Commissioner (Land) and Deputy Secretary to Government, Punjab, Resettlement and Colonies Department.

To—The Deputy Commissioners, Lahore, Sialkot, Gujranwala, Sheikhupura, Gujrat, Jhelum, Attock, Rawalpindi and Montgomery.

Subject—Allotment of land under the Rehabilitation Settlement Scheme on the Indo-Pakistan border.

Reference—In modification of Punjab Government memo. No. 10063-R(L), dated 24th December 1952.

I. U. Khan, Esquire, C.S.P., Rehabilitation Commissioner (*Land*), *Punjab.*

THE Rehabilitation Commissioner (Land), is pleased to order that the existing clause III of the Border Scheme will be amended as under with immediate effect :—

III—PERSONS ELIGIBLE FOR ALLOTMENT

"Allotment under this scheme will be made without discrimination between refugees and non-refugees subject to availability of land, in each estate to those persons :—

(*i*) who hold temporary allotment of evacuee land under a valid permit issued by a Rehabilitation Authority;

(*ii*) who in the case of *ex*-military men and service men have been recommended by G.H.Q. or Formation Headquarters detailed for resettlement duties;

(*iii*) who cultivate the land themselves; and

(*iv*) who reside in the village except in the case of such of the military service men who can produce the necessary adult man power for residence in the estate as required by clause V(A) of this scheme.

Subject to eligibility under all the items above preference will be given to *ex*-military men or service men who have abandoned land in the prescribed territory of India. Persons who already own land in border estates which is less than the unit of allotment prescribed in clause (IV) of the scheme may be considered for allotment of evacuee land under this scheme up to the prescribed minimum".

No. 11413-54/10534-*R* (*L*).

COPIES are forwarded, for information, to :—

(1) Deputy Secretary to the Government of Pakistan, Ministry of Refugees and Rehabilitation, Karachi;

(2) Deputy Secretary to the Government of Pakistan, Ministry of Defence, Rawalpindi;

(3) Adjutant-General, Pakistan Army, General Headquarters, Rawalpindi;

(4) A. A. & Q.M.G., 10th Division, Lahore Cantonment;

(5) Commissioners, Lahore and Multan divisions;

(6) Inspector-General of Police, Punjab, Lahore;

in continuation of Punjab Government endorsement No. 10064-R(L), dated the 24th December 1954.